

**SANDPOINT PLANNING COMMISSION MEETING
5:30 P.M. CITY HALL COUNCIL CHAMBERS
MINUTES OF OCTOBER 18, 2016**

COMMISSION MEMBERS PRESENT: Tom Russell, Danny Strauss, Yuri Simon, Collin Beggs, Mark Remmetter, Cate Huisman

COMMISSION MEMBERS ABSENT: Tom Riggs

STAFF MEMBERS PRESENT: Planning & Community Economic Director Aaron Qualls, Assistant Planner Ryan Shea (minutes)

COUNCIL PRESENT: None

Vice Chair Huisman called the meeting to order at 5:30 p.m.

Matters from the Public: None

Approval of Consent:

Commissioner Beggs moved and Commissioner Simon seconded to approve the minutes from the September 20, 2016. **Motion passes unanimously.**

Agenda Item B: Workshop discussing draft telecommunication facility ordinance

Qualls introduced the ordinance and attached materials and reminded the commission that municipalities cannot regulate telecommunication facilities based on emissions. The commission can regulate location and construction of facilities. Qualls asked for a general response to the draft ordinance from the commissioners. Huisman asked about where it came from. Shea responded by saying that the code primarily came from Moscow and Missoula. Russell inquired if the commission could restrict towers from being in residential. Qualls stated that an ordinance could not be created that would have a prohibiting effect throughout the city. Beggs said that for residential zones he would prefer that an applicant prove a clear necessity in order to place them in residential zone. Beggs also asked given the number of towers that already exist in the city. Staff responded by saying the attached map had most of the towers in the city, but not all.

Beggs requested that the Planning Commission be given some court cases regarding wireless facilities.

Huisman asked about how much stealth design requirements would add to the project. Do we have a solid number? Shea explained that staff had no numbers but that it would generally add cost to a project. Qualls explained that in order to determine what would be acceptable for design of towers, the city would prefer that the Planning Commission review applications through the CUP process. Qualls showed some examples of stealth design from Coeur d'Alene in order to illustrate how some of the stealth designs can look. Huisman wondered when we would require a conditional use permit. Beggs said that having towers or facilities out of commercial is equally as important as having them out of residential.

Strauss stated that he believes the commission could use more education from experts on cell towers and where the future of this telecom is heading. Strauss went on to say that changing economic conditions and towers being abandoned he is worried about property owners being saddled with onerous removal costs in the future. Russell asked if we could place a bond on the tower for removal. Qualls suggested that some kind of agreement or bond could be written up

between the cell tower developer and property owner to fix this issue. Beggs suggested that during the permit process staff could have the CUP process notify the property owner.

Beggs said that it is important to keep the historic character of our downtown and commercial areas intact. He referenced some of the included pictures of the power house building and explained that if these stealth design requirements were in place that this building could look much better than it does now.

Huisman said that the code for the ground mounted equipment enclosure language should be extended to the rest of the stealth design requirements. Beggs suggested making the requirements in the code as clear as possible in order to get best possible outcome. Qualls said that the commission sounded like they would prefer to weigh in on telecommunication facilities in residential and commercial zones through a CUP process. Qualls said that he would prefer that during the decision of what would be stealth or what would not that the Planning Commission handle this decision through CUP process. Qualls stated that a decision like this should be in a public forum instead of an administrative staff decision.

Russell stated that he is against having towers in residential at all. The only reason they should go in is if they can prove a necessity to be in residential. Russell stated that the ordinance should focus facilities in areas where we want them.

Huisman pointed out that IBP verges on commercial and should have different requirements compared to the other industrial zones. Qualls pointed out that some of those industrial zones would be affected by FAA regulations anyway.

Qualls asked the commission if schools should be exempt from these regulations. Huisman pointed out that most schools are in residential areas and have large impacts to surrounding land uses. Simon said that schools may construct towers for commercial gain. Strauss suggested limiting schools to one tower.

Beggs said that residential zones deserve to have some kind of public comment in regards to towers. Remmetter and Russell agreed. Qualls stated that every meeting is open to the public.

Huisman asked staff when the moratorium was enacted. Qualls stated August 10th. Huisman stated that gives the city until February to have an ordinance ready. Qualls said that in order to get everything ready a public hearing would need to be held on December 6th.

The commission directed staff to continue to work on the rough draft and incorporate the feedback gathered during the meeting.

Matters from Staff: None.

ADJOURNMENT: The meeting adjourned at 6:20 p.m.